

REMARKS

Upon entry of the above amendments, claims 6 and 13 will have been amended to enhance clarity, without narrowing the scope thereof. Further, no claims will have canceled or added. Accordingly, Applicant respectfully requests reconsideration and allowance of claims 1-14, which are currently pending, together with withdrawal of the outstanding rejections.

In the Official Action, the Examiner objected to the drawings and asserted that the claimed feature of having at least one groove of a pentagonal shape, as recited in claims 6 and 13, is not illustrated in the drawings. Accordingly, to overcome the objection to the drawings, Applicant has amended claims 6 and 13 to recite "polygonal" and has submitted herewith FIG. 6, illustrating at least one groove of a polygonal shape. In addition, page 7 of the specification has been amended to include a reference to Figure 6 in association with the description of the groove. Thus, as every claimed feature is shown in the drawings, Applicant respectfully requests withdrawal of the objection to the drawings.

Further, the Examiner rejected claims 1-14 under 35 U.S.C. §103(a) as being unpatentable over GAURON (U.S. Patent No. 4,902,180) in view of QUANEY (U.S. Patent No. 4,059,199). Applicant, however, respectfully traverses the rejection and submits that it is inappropriate with respect to the claims pending in the present application.

In this regard, Applicant submits that the applied references (GAURON and QUANEY), taken alone or in combination, fail to disclose or suggest each and every

P24481.A03

feature of the claimed invention. For example, Applicant notes that GAURON does not anticipate or render obvious, inter alia, an insert-nut comprising a plurality of gaps between the sidewalls of the insert-nut and a surface of an installation hole of a carrier, whereby plastic is injectable into the plurality of gaps, as recited in claim 1. Additionally, Applicant submits that GAURON also does not disclose a method comprising injecting plastic into the plurality of gaps, as recited in claim 8.

Contrary to the Examiner's assertions, as illustrated in Figure 17, GAURON is directed towards a single, irregularly shaped cavity (24) and not a plurality of sidewall-defined gaps, as recited in the claims. Moreover, GAURON is specifically structured with only a single cavity such that resin (68) may be injected through a single fill opening (94) and flow around the surrounding fastener element (70). Further, GAURON only provides one fill opening as there is only a single cavity and not a plurality of cavities to fill with resin. Thus, as GAURON fails to disclose at least these features as recited in the claimed combinations, Applicant respectfully requests withdrawal of the rejection, as well as favorable reconsideration of all pending claims.

Further, as argued in the previous response filed on July 13, 2004, QUANEY does not disclose at least the above-mentioned features and thereby fails to supply the deficiencies of GAURON. In particular, QUANEY discloses a threaded fastener of a unitary metal machined part embedded in plastic material that completely fills the space between the flange shoulders (46, 48) and tightly engages the peripheral surfaces of the central shank and the two flanges to firmly hold the fastener in place (e.g., Column 2, lines 45-48). As QUANEY is directed towards having plastic material completely filling

P24481.A03

the space and tightly engaging the peripheral surfaces, QUANEY does not teach or render obvious the claimed feature of sidewalls configured to provide a plurality of gaps between the sidewalls of the insert-nut and a surface of an installation hole.

Accordingly, as QUANEY, in addition to GAURON, fails to disclose or suggest at least a plurality of gaps in which plastic is injected, as recited in the claims, Applicant respectfully requests withdrawal of the rejection together with an indication of the allowability of all pending claims.

Moreover, Applicant submits that the combination of GAURON and QUANEY, as proposed by the Examiner, lacks motivation. In this regard, as admitted by the Examiner, GAURON does not disclose an insert-nut having a polygonal shape. Applicant submits that GAURON is specifically structured with flow control disks in order to influence the flow of the resin and enhance the mechanical interlock between the fastener element and the resin (e.g., column 6, lines 55-59). Further, in GAURON, there is no need or motivation to modify the fastener to have a polygonal shape to provide resistance, as asserted by the Examiner, especially since GAURON includes antirotation flats (e.g. 78) at predetermined locations for such a purpose. Thus, the Examiner's motivation is not based upon the prior art as GAURON has no need for additional torque resistance. Additionally, QUANEY discloses molding of an entire boss (12). In QUANEY, no gaps (as defined herein) into which plastic is injectable are disclosed. Accordingly, as there is a lack of motivation for the asserted combination of GAURON and QUANEY, Applicant respectfully requests withdrawal of the rejection and passage of the present application to issue.

P24481.A03

Furthermore, Applicant notes the status of the present application as being after final rejection and with respect to such status believes that there is a clear basis for the entry of the present amendment consistent with 37 C.F.R. §1.116. Applicant notes amendments after final are not entered as a matter of right, however, Applicant submits that the amendments made to the pending claims do not raise any new issues requiring further search or consideration, at least as only two dependent claims are amended. It is also submitted that the present amendment does not raise the question of new matter.

Accordingly, Applicant respectfully requests entry of the present amendment in accordance with the provisions of 37 C.F.R. §1.116, reconsideration and withdrawal of the outstanding objection and rejections, and indication of the allowability of all claims pending herein. Such action is respectfully requested and is believed to be appropriate and proper.

SUMMARY AND CONCLUSION

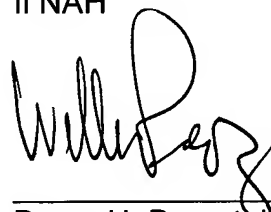
Applicant believes that the present application is in condition for allowance, and respectfully requests an indication to that effect. Applicant has amended the claims to enhance clarity and argued their allowability. Accordingly, reconsideration of the outstanding Official Action and allowance of the present application and all the recited claims therein are respectfully requested and now believed to be appropriate.

Further, the amendments to the claims, which have been made in this amendment, have not been specifically noted to overcome a rejection based upon the prior art and should be considered to have been made for a purpose unrelated to patentability. Accordingly, no estoppel should be deemed to attach thereto.

Should the Examiner have any questions, the Examiner is invited to contact the undersigned at the below-listed telephone number.

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P24481.A03

Amendments to the Drawings:

Please add FIG.6 of the attached replacement sheet to the drawings. In this regard, Applicant submits that FIG. 6 does not constitute new matter and is supported, for example, by the original description provided on page 7 of the specification.